

STATEMENT OF SENATOR DANIEL K. INOUE
VICE CHAIRMAN
COMMITTEE ON INDIAN AFFAIRS
BEFORE THE
OCTOBER 7, 1998
HEARING
OF THE
COMMITTEE ON INDIAN AFFAIRS
ON A BILL
TO EXTEND SELF-GOVERNANCE
PROGRAM AUTHORITY
TO THE
INDIAN HEALTH SERVICE

MR. CHAIRMAN, MAY I SAY FIRST HOW GOOD IT IS TO HAVE YOU BACK IN THE CHAIR.

I THINK I SPEAK ON BEHALF OF ALL OF US ASSEMBLED HERE TODAY FOR THIS IMPORTANT HEARING — WE HAVE MISSED YOU!

MR. CHAIRMAN, I WILL BE BRIEF IN MY REMARKS, BUT I FEEL COMPELLED TO OBSERVE THAT THIS MEASURE, AND EACH OF ITS PREDECESSORS RELATED TO SELF-DETERMINATION AND SELF-GOVERNANCE, ARE BUT EMPTY PROMISES IF WE FAIL TO PROVIDE THE CONTRACT SUPPORT FUNDS THAT ARE ABSOLUTELY CRUCIAL TO THE ABILITY OF ALMOST EVERY TRIBAL GOVERNMENT TO ADMINISTER THESE PROGRAMS SUCCESSFULLY.

IN 1975, IN ENACTING THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT, WE, THE MEMBERS OF CONGRESS, MADE A SOLEMN PROMISE TO INDIAN COUNTRY.

WE PLEDGED — NOT IN PROVISIONS OF A COMMITTEE REPORT OR STATEMENTS MADE ON THE SENATE FLOOR — BUT IN THE LANGUAGE OF THE STATUTE — THAT TRIBAL GOVERNMENTS WOULD BE PROVIDED WITH THE SAME LEVEL OF RESOURCES THAT THE FEDERAL GOVERNMENT HAD AT ITS DISPOSAL IN ADMINISTERING THESE PROGRAMS.

WE DIDN'T CONDITION THIS COMMITMENT ON WHETHER OR NOT THERE WOULD BE FUNDING APPROPRIATED TO COVER CONTRACT SUPPORT COSTS — WE SIMPLY RECOGNIZED THAT IT WAS THE OBLIGATION OF THE UNITED STATES TO PROVIDE NOT ONLY THE BASIC PROGRAM FUNDING BUT ALSO FUNDING SUFFICIENT TO SUPPORT THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE OPERATION OF FEDERAL INDIAN PROGRAMS.

RECENTLY, BOTH THE EIGHTH AND NINTH CIRCUIT COURTS OF APPEALS HAVE READ THE STATUTE EXACTLY AS WE INTENDED IT — AND BOTH COURTS CONCLUDED THAT THE FEDERAL AGENCIES — THE BUREAU OF INDIAN AFFAIRS AND THE INDIAN HEALTH SERVICE — HAVE A STATUTORY OBLIGATION TO PROVIDE THE FULL COMPLEMENT OF CONTRACT SUPPORT FUNDS.

DEPENDING UPON THE OUTCOME, THIS WEEK, OF THE CONFERENCE ON THE INTERIOR APPROPRIATIONS MEASURE, WE WILL KNOW JUST HOW MUCH PROGRESS WE ARE MAKING IN ADDRESSING A TWO HUNDRED AND TWENTY-FIVE MILLION DOLLAR BACKLOG IN UNMET NEEDS FOR CONTRACT SUPPORT.

YESTERDAY, I HAD THE OPPORTUNITY TO PERSONALLY ADD MY VOICE TO THOSE OF HUNDREDS OF TRIBAL LEADERS WHO HAVE CALLED UPON THE PRESIDENT TO REQUEST SUFFICIENT FUNDS FOR CONTRACT SUPPORT.

I HOPE THAT OUR VOICES WILL BE HEARD, AND THAT THE PRESIDENT WILL OPPOSE THE LIMITATIONS ON CONTRACT SUPPORT FUNDING THAT ARE CONTAINED IN THIS YEAR'S INTERIOR APPROPRIATIONS MEASURE.

SELF-GOVERNANCE HAS PROVEN TO BE AN EFFECTIVE MEANS OF ENABLING TRIBAL GOVERNMENTS TO ACHIEVE A GREATER MEASURE OF FLEXIBILITY IN ADAPTING NATIONAL PROGRAMS TO ADDRESS THE UNIQUE NEEDS OF EACH INDIAN COMMUNITY.

WE SHOULD GO FORWARD WITH THIS MEASURE, BUT WE SHOULD ALSO TAKE THE NECESSARY STEPS TO PROVIDE ADEQUATE FUNDING SO THAT WE MAY ASSURE INDIAN COUNTRY, WITH CONFIDENCE, THAT THIS INITIATIVE IS NOT NOW AND WILL NOT IN THE FUTURE BECOME JUST ANOTHER BROKEN PROMISE.